



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,849	05/09/2001	Bruce R. David	10420/12	3674
757	7590	01/20/2006	EXAMINER	
BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			ART UNIT	PAPER NUMBER

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliance with 37 CFR 41.37(c)

1. The Appeal Brief filed on September 27, 2004 is defective for failure to comply with one or more provisions of 37 CFR 41.37(c).
2. Specifically, it is noted that the brief does not contain the required "Grounds of rejection to be reviewed on appeal" section.
3. Examiner notes that Applicant's faxed brief has a header from the fax machine of origin at the top of each page. It is noted that the headers consecutively list pages 6 and 7 of the fax, that the "Summary of Claimed Subject Matter" appears to break off mid-sentence on the page listed 6 by the aforescribed fax header (last line of page 6 reading "the skin of the aircraft to prevent any damage from contact with the aircraft skin. In"), and that at the top of the page having the fax machine header "p. 7", the first line reads "VII. Argument".
4. Thus, it appears that when faxing the appeal brief of September 27, 2004, either Applicant may have inadvertently left a page out of the document to be faxed, or perhaps the fax machine may have double-fed a page such that a page was skipped in the transmission.
5. In any event, however it occurred, the brief does not contain the required "Grounds of rejection to be reviewed on appeal" section.
6. To avoid dismissal of the appeal, applicant must file a complete new brief in compliance with 37 CFR 41.37(c) within the longest of any of the following time periods: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the time period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica E Cadugan whose telephone number is currently (703) 308-6395. However, on approximately November 16, 2004, Examiner's telephone number will be changed to (571) 272-4474. The examiner can normally be reached on M-F, 7:30 a.m. to 5:00 p.m., alternate Fridays off.
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (703) 308-2159. The fax phone number for the organization where this application or proceeding is assigned is ~~703-872-9306~~.

571 273 8300

Art Unit: 3722

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Erica E Cadugan
Primary Examiner
Art Unit 3722

eec
October 20, 2004